

REMARKS

The present application was filed on March 12, 2004 with claims 1-22. Claims 1-22 are currently pending in the application. Claims 1 and 17-19 are the independent claims.

Claims 1, 5, 13, 14 and 16-19 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Publication No. 2003/0185249 (hereinafter “Davies”).

Claims 2-4, 15 and 20-22 are rejected under 35 U.S.C. §103(a) as being unpatentable over Davies in view of other references including U.S. Patent No. 6,275,501 (hereinafter “Lucas”).

Claims 6-12 are indicated as containing allowable subject matter.

In this response, Applicants traverse the §102(b) and §103(a) rejections, and respectfully request reconsideration of the present application.

Applicants initially note that the Davies reference is not available as a §102(b) reference, as its publication date of October 2, 2003 is less than one year prior to the filing date of the present application. Applicants will proceed under the assumption that the Examiner intended to issue an anticipation rejection under 35 U.S.C. §102(e).

With regard to the anticipation rejection, MPEP §2131 specifies that a given claim is anticipated “only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference,” citing Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, MPEP §2131 indicates that the cited reference must show the “identical invention . . . in as complete detail as is contained in the . . . claim,” citing Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). For the reasons identified below, Applicants submit that the Examiner has failed to establish anticipation of claims 1, 5, 13, 14 and 16-19 by Davies.

Independent claim 1 is directed to a processor comprising at least a portion of a first split transmit and receive media access controller, where the split transmit and receive media access controller has a transmit unit and a receive unit physically separated from one another. An interface for directing signals between the transmit unit and the receive unit of the first split transmit and receive media access controller is configurable to multiplex the signals with signals directed between a transmit unit and a receive unit of at least a second split transmit and receive media access controller.

It is important to note that the specification clearly defines the term “split transmit and receive media access controller.” This definition is provided at page 5, lines 6-11, and is as follows, with emphasis supplied:

As indicated above, a split transmit and receive MAC is a MAC in which the transmit unit and the receive unit are physically separated from one another. For example, the transmit and receive units may be on opposite sides of a single integrated circuit, or may be on different integrated circuits. This is in contrast to a typical closely-coupled arrangement, in which these two units are located immediately adjacent to one another. The term “physically separated” as used herein is thus intended to encompass any arrangement other than the immediately adjacent arrangement.

The foregoing definition makes clear that a split transmit and receive MAC is a single MAC, that is, a single media access controller that includes transmit and receive units. This is further apparent from the description in the background portion of the specification at, for example, page 1, lines 17-21.

The Examiner in formulating the anticipation rejection relies on FIG. 2 and paragraphs [0011] and [0017] of Davies. See the Office Action at page 2, section 2, second paragraph. Apparently, the Examiner is arguing that a given one of the MACs in the group 140 in FIG. 2 of Davies is a transmit unit of a split transmit and receive MAC while a given one of the MACs in the group 320 is a receive unit of that same split transmit and receive MAC.

Applicants respectfully submit that this is a mischaracterization of the teachings of Davies. Davies clearly indicates that each of the MACs in the group 140 is a separate MAC. Similarly, Davies clearly indicates that each of the MACs in the group 320 is a separate MAC. See Davies at paragraphs [0045] and [0046]. There is no indication whatsoever in Davies to the effect that one of the MACs in the group 140 is a transmit unit of a single split transmit and receive MAC while one of the MACs in the group 320 is a receive unit of that same transmit and receive MAC. To the contrary, Davies indicates at paragraph [0051] in referring to FIG. 1, with similar implications for the related FIG. 2, that “whilst . . . data transmission is indicated in one direction only, in practice a

corresponding structure is typically provided to support full bi-directional data flow between client nodes and the switch.” This portion of Davies may be viewed as indicating that each one of the MACs in the groups 140 and 320 may include its own transmit and receive units. Thus, for example, although only the transmit functionality of MAC 141 is illustrated in FIGS. 1 and 2, and only the receive functionality of MAC 321 is illustrated in FIGS. 1 and 2, the MAC 141 will in practice also have receive functionality and the MAC 321 will in practice also have transmit functionality. However, there is no teaching or suggestion in Davies to the effect that any such transmit and receive units of MAC 141 would be physically separated from one another, or interfaced in the particular manner recited in claim 1. Similarly, there is no teaching or suggestion in Davies to the effect that the transmit and receive units of MAC 321 would be physically separated from one another, or interfaced in the particular manner recited in claim 1.

The Examiner is basically taking two entirely separately MACs and arguing that the two separate MACs comprise transmit and receive units of a single MAC. This is contrary to the express teachings of Davies, and therefore inappropriate.

As Davies fails to teach or suggest split transmit and receive MACs, it similarly fails to teach or suggest the recited interface for directing signals between the transmit unit and the receive unit of the first split transmit and receive media access controller, where the interface is configurable to multiplex the signals with signals directed between a transmit unit and a receive unit of at least a second split transmit and receive media access controller.

For the above reasons, it is respectfully submitted that the Davies reference fails to meet the limitations of independent claim 1.

Independent claims 17-19 are believed patentable for reasons similar to those outlined above with regard to claim 1.

Dependent claims 5, 13, 14 and 16 are similarly believed to be patentable over Davies.

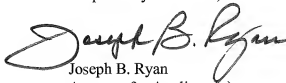
With regard to the §103(a) rejections, the additional cited references fail to supplement the fundamental deficiencies of Davies as applied to the independent claims. For example, even if one were to assume that the arrangement shown in FIG. 2 of Lucas shows a single MAC with transmit and receive units, there is no teaching or suggestion in Lucas that such a MAC is a split transmit and receive MAC as that term is defined in the present specification. Accordingly, such a single MAC in

Lucas is consistent with the conventional “immediately adjacent” arrangement referred to in the specification at page 1, lines 17-21, and page 5, lines 6-11.

Dependent claims 2-4, 15 and 20-22 are therefore believed to be patentable over Davies, Lucas and the other cited art.

In view of the foregoing, claims 1-22 are believed to be in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph B. Ryan". The signature is fluid and cursive, with the first name "Joseph" and last name "Ryan" clearly distinguishable.

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